

Regular Session, 2010

HOUSE BILL NO. 844

BY REPRESENTATIVE GISCLAIR

COASTAL RES/COASTAL ZONE: Requires pipelines to be consistent with the state master plan for integrated coastal protection

1 AN ACT

2 To amend and reenact R.S. 49:214.30(A), relative to coastal use permits; to provide for
3 consistency with the state's master plan for coastal protection and restoration
4 activities under such permits; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 49:214.30(A) is hereby amended and reenacted to read as follows:

7 §214.30. Coastal use permits

8 A.(1) No person shall commence a use of state or local concern without first
9 applying for and receiving a coastal use permit. Decisions on coastal use permit
10 applications shall be made by the secretary, except that the local government shall
11 make coastal use permit decisions as to uses of local concern in areas where an
12 approved local program is in effect. Conditions set forth in a coastal use permit shall
13 supersede any and all variances or exceptions granted by the commissioner of
14 conservation in accordance with R.S. 30:4(E)(1) for activities within the coastal zone
15 as defined by R.S. 49:214.24.

16 (2) Prior to issuance of a coastal use permit, the secretary shall ensure that
17 the activity for which application is being made is consistent with the state's master
18 plan for integrated coastal protection. No activity which is not consistent with the
19 plan shall be granted a coastal use permit. In addition, any permit granted to repair
20 or replace a pipeline shall include a requirement that the pipeline owner, at his cost,

1 shall be responsible to modify the pipeline if an integrated coastal protection project
2 contained in the state coastal master plan requires relocation of the pipeline.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Gisclair

HB No. 844

Abstract: Requires consistency with the master plan for integrated coastal protection under a coastal use permit for any activity in the coastal zone.

Present law requires application for a coastal use permit prior to commencement of any activity in the coastal zone.

Proposed law requires that prior to issuance of a coastal use permit, the secretary of the Dept. of Natural Resources shall ensure that the activity for which application is being made is consistent with the state's master plan for integrated coastal protection. Prohibits the issuance of a permit for any activity which is not consistent with the plan. Further requires that any permit granted to repair or replace a pipeline include a requirement that the pipeline owner, at his cost, is responsible to modify the pipeline if an integrated coastal protection project contained in the state coastal master plan requires relocation of the pipeline.

(Amends R.S. 49:214.30(A))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill.

1. Removed the provisions contained in the Original Bill and replaced those provisions with the ones contained in the digest above.